



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

September 25, 2009

Ms. Suzanne B. Herron, P.E., CPESC
Director
Environmental Division
Tennessee Department of Transportation
505 Deaderick Street, Suite 900
Nashville, TN 37243

SUBJECT: Shelby Avenue/Demonbreun Street (Gateway Boulevard) Corridor,
Nashville, Davidson County, Tennessee

Dear Ms. Herron,

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced Draft Supplemental Environmental Impact Statement (SEIS) in accordance with its responsibilities under Section 309 of the Clean Air Act and Section 102(2) (C) of the National Environmental Policy Act (NEPA). The U.S. Department of Transportation, Federal Highway Administration, Tennessee Department of Transportation, and Metropolitan Government of Nashville and Davidson County (Metro) proposes to construct an urban boulevard in the southern portion of Downtown Nashville. The new boulevard would extend the existing western terminus of Korean Veterans Boulevard (formally known as Gateway Boulevard) at 4th Avenue westward to 8th Avenue for a distance of about .31 mile.

The current action was evaluated as an Environmental Impact Statement (EIS) for the Shelby Avenue/Demonbreun Street Corridor. A Record of Decision (ROD) was issued in 1998 for the selected alternative for the corridor. Subsequent to the issuing of the ROD, several sections of the Shelby Avenue/Demonbreun Street Corridor (now referred to as Gateway Boulevard Corridor) have been constructed. Metro is now preparing a supplement to the approved EIS and ROD to address the portion of the ROD's Selected Alternative that has not been constructed and to evaluate the remainder of the project in light of the extensive land use changes that have begun to occur in the project area since the ROD was issued.

The alternatives considered include one No Build Alternative and Two Build Alternatives (Terminus Option 1: Roundabout and Terminus Option 2: Four-Leg Signalized Intersection). Under the No-Build Alternative, the Gateway Boulevard would not be completed west of 4th Avenue. Korean Veterans Boulevard, 4th Avenue and Franklin Street would not be re-aligned. No improvements would be made to existing intersections along Franklin and Shirley Streets. Terminus Option 1: Roundabout Alternative would bring the approaches Gateway Boulevard, 8th Avenue and Lafayette Avenue together into a roundabout. The Roundabout option was suggested by members of the public during public meetings for the Draft SEIS. The second build alternative, Terminus Option 2: Four-Leg Signalized Intersection Alternative aligns Gateway Boulevard with the southern leg of 8th Avenue and Lafayette Street with the northern leg of 8th Avenue. A signal would initiate movement from northbound Lafayette Street to southbound 8th Avenue. Under both build alternatives, several streets would be permanently closed (Shirley Street between 6th and 8th Avenues, 7th Avenue between Demonbreun and Lafayette Streets and Lea Street between 7th and 8th Avenues). Both build alternatives, would require the installation of

traffic signals at the new intersections of Gateway Boulevard with 5th and 6th Avenues. Both build alternatives would continue Korean War Veterans Boulevard east of 4th Avenue into Gateway Boulevard (between 4th and 8th Avenues). An overall preferred alternative was not identified in the SEIS.

Based on our review of the Draft SEIS, EPA's environmental concerns are related to relocation impacts and lack of analysis for mobile source air toxics (MSATs). EPA is concerned that TDOT hasn't properly coordinated with several businesses and a non-profit organization that potentially could be re-located. EPA recommends that TDOT coordinate with these entities and reflect their feedback in the Final SEIS. The discussion of mobile source air toxics (MSATs) in the Draft EIS and in the air quality technical report presents information that does not coincide with the findings of many air quality studies. In general, air toxics impacts for highway projects should be evaluated based on emissions, dispersion modeling, and screening level risk assessment in locations where people work and reside. A discussion should be included regarding the near-roadway health impacts and the potential for such impacts during and following completion of this project. EPA recommends TDOT more thoroughly consider air toxics in their alternative analysis, quantify construction and operational emissions of MSATs, discuss dispersion emissions and exposure levels and identify appropriate avoidance, minimization, and/or mitigation opportunities.

We rate this document EC-2 (Environmental Concerns-with additional information requested for the above). Enclosed is a summary of definitions for EPA ratings.

We appreciate the opportunity to review the proposed action. Please contact Jamie Higgins at (404) 562-9681 if you want to discuss our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Heinz J. Mueller". The signature is fluid and cursive, with the first name "Heinz" being more prominent.

Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management

Enclosures

cc: Tom Love – Tennessee Department of Transportation

SUMMARY OF RATING DEFINITIONS AND FOLLOW UP ACTION ¹

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impacts. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS state, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1-Adequate

The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collecting is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant

¹ From EPA Manual 1640 Policy and Procedures for the Review of the Federal Actions Impacting the Environment.